

**BEFORE THE PUBLIC UTILITIES COMMISSION OF
THE STATE OF CALIFORNIA**



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Order Instituting Rulemaking Into
Implementation of Federal
Communications Commission Report and
Order 04-87, as it Affects the Universal
LifeLine Telephone Service Program.

Rulemaking 04-12-001
(Filed December 14, 2007)

**COMMENTS OF THE UTILITY REFORM NETWORK, THE NATIONAL
CONSUMER LAW CENTER, DISABILITY RIGHTS ADVOCATES AND LATINO
ISSUESFORUM ON ASSIGNED COMMISSIONER'S RULING SETTING SCOPE OF
PHASE 2 ISSUED NOVEMBER 14, 2007**

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I. INTRODUCTION

The Utility Reform Network, the National Consumer Law Center, Disability Rights Advocates and Latino Issues Forum (hereinafter referred to as "Joint Consumers") file these comments pursuant to the Assigned Commissioner's Ruling Setting Scope of Phase 2 issued on November 14, 2007 (the "ACR"). The previous phase of this proceeding focused on immediate strategies to improve response rates of the California LifeLine certification and verification processes. The recent ACR engaged in a review of those short-term efforts and focused on developing effective long-term strategies for Phase 2 of the proceeding.

Joint Consumers collectively represent low income consumers (including consumers with disabilities and consumers with limited English proficiency) who have much at stake in the LifeLine program. The Universal Lifeline Telephone Service ("LifeLine") program provides discounted basic phone service to approximately 3.5 million low-income Californians and has been an established and vital program to low-income Californians for decades. Joint Consumers have, at every stage of this proceeding, sought to propose and endorse programmatic structures that would facilitate enrollment and minimize barriers to participation in order to preserve the high enrollment rate that the program had enjoyed prior to the change in the federal LifeLine rules. Joint Consumers agree with the ACR that implementation of short-term strategies has resulted in an improvement in consumer response rates, verifications and certifications. We certainly commend the hard work and concern of the Commission and Staff in achieving these improvements following the initial roll-out of the revised program. Nonetheless, Joint Consumers believe that we are still in the midst of a long transition, and that much work remains in order to put the new California LifeLine program on a secure trajectory. Joint Consumers are

committed to continuing our active participation in this process and respectfully offer these comments.

The November 14, 2007 ACR specifically requested comments from the Parties on the issues of: A) customer prequalification; B) lessons from other states; C) refinements in customer responses; and D) possible synergies with other low-income programs.

II. DISCUSSION

A. Customer Prequalification (ACR, section 1)

The ACR requests comment on whether the Commission should adopt a pre-qualification policy for LifeLine enrollment. Today, a customer receives LifeLine discounted services while his or her application for enrollment in the program is pending approval. This long-standing practice has been referred to as “first contact” by Joint Consumers because the customer is put on the program at his or her first contact with the carrier. The previous LifeLine self-certification process used this first contact model. In contrast, if the program were changed to a pre-qualification model, a customer would be required to successfully complete the application process before receiving any discounts. Pre-qualification requires low-income customers to pay up front the full-rate non-recurring charges and to pay full rate monthly charges for services until their application is processed.

During the revision of General Order 153 to implement FCC income certification rules, Joint Consumers strongly advocated for retention of the first contact policy because it allows customers to pay discounted installation/connection fees, a discounted conversion fee if necessary, and discounted monthly service fees while their application is pending. Joint Consumers argued that because the new rules called for a more extensive and complicated application process, there was a risk that a LifeLine-eligible customer would have to pay the full rate upfront and then wait for a retroactive credit for an unreasonably long amount of time

thereby constituting a barrier to signing up for service.¹ The Commission agreed and left the first contact policy in place when revising G.O. 153.²

However, the Assigned Commissioner states in this Ruling, “I see advantages for all parties in moving to a system of customer pre-qualification.”³ Ironically, the very concern that Joint Consumers expressed in early comments – an unreasonably long application period – has come to pass. However, instead of justifying first contact by ensuring the customer receives the discount early in the process, these delays have given interested parties motivation to renew the pre-qualification debate. The certification process has taken longer than expected, thereby allowing applicants that ultimately do not qualify for the program to receive discounted services for several months. Once an application is processed, if the customer is deemed ineligible the carrier can back bill that customer for the full rate to make the carrier whole. Precisely because the process is taking too long, the amount a customer may be back billed can be significant, sometimes in the hundreds of dollars. The impact of the back billing on the carrier should be minimal because the Commission allows carriers to seek reimbursement from the Fund for bad debt expenses as a result of customers not paying a back billed amount.⁴ However, this one time hit can be devastating to customers on a limited income.

Joint Consumers continue to believe the first contact policy is most beneficial for consumers overall. A pre-qualification process would require *all* LifeLine applicants to pay larger-than-necessary up front recurring and non-recurring costs in order to protect the applicants that do not ultimately qualify and might incur significant back billed charges. Therefore, before

¹ See, for example, Comments of TURN et al., on the Draft Workshop Report, August 5, 2005 at Appendix A, p. 7.

² D.05-04-026 at p. 19, “We support this interpretation of the FCC’s rule because it simplifies the process and allows those who enroll in the program to be eligible for the ULTS discount from the time they sign up for service and present their income documents. It also allows us to have the same rules for customers applying under the program-based criteria.”

³ ACR at p. 5

⁴ D.05-12-013 at FOF 2

the Commission considers moving away from the first contact policy, it should first document the severity of the back billing problem to see if it warrants a substantial change in enrollment practices. This is not the first time that Joint Consumers have recommended that the Commission gather more data on the issues regarding back-billing, but the ACR provides no indication that there is more data in the record this time as opposed to earlier proposals.⁵

Joint Consumers understand that during the Implementation Working Group discussions, Solix has stated that the approval of fully completed applications is running at around 90%, so that only about 10% of those customers fully completing applications are subject to back billing. Of course, there are additional numbers of applicants who do not complete the application process fully and may be subject to back billing. However, those numbers should continue to decline with continued improvements to the process.

In the various working groups and in previous comments carriers have stated their belief that back billing has been a problem, with customers having to pay three or more months worth of charges. The Staff Report attached to D.07-05-030, drafted in April of this year, also predicted that back billing may be a problem, but deferred the issue to this phase of the proceeding without including any evidence or substantive discussion. These informal references to a back billing problem are not part of the record and cannot support a major change in policy. The Commission must gather data on the prevalence and the extent of the back billing problem and on processing times for certification and verification applications to understand the current situation. Joint Consumers recognize some back billing is inevitable in a first contact environment. However, as long as the customer applying to LifeLine understand they will be back billed if they do not qualify then the benefits of first contact for the vast majority of applicants that will qualify outweighs the risk of back billing for those that do not qualify.

⁵ Reply Comments of TURN et al on Proposed Decision Adopting Strategies, April 30, 2007, at p.3

Instead of penalizing low-income consumers by requiring them to pay large up-front costs to initiate service through pre-qualification, the Commission should look for ways to expedite the certification process or to otherwise avoid significant back-billing problems. The program experienced serious operational problems when the new rules were first put in place due in large part to the initial use of standard mail. As a result, the Commission extended the intermediate deadlines for both the customer and for Solix in the certification process. Those deadlines should be scrutinized to ensure they continue to be warranted. Indeed, these deadlines and the impact they have on customer billing must routinely be revisited and revised to take into account changing circumstances. Joint Consumers supported the extension of the timelines with the understanding that they would retract once Solix moved to first class mail.

Further, additional “touches” designed to increase the certification and verification response rates put in place by D.07-05-030 have only been operational for a few months. It may be premature to assume it will continue to take several months to process applications once those safeguards are in place. While response and return rates have risen over the past year from its all-time low last year, Solix and the carriers have more work to do to assure customers that the additional outreach is sufficient and has provided us with maximum effectiveness.

Also, as discussed below, Solix is currently working on a web system as required by the Commission. This system should expedite both the certification and verification processes such that extended delays in the application process and the resulting back billing will no longer be a significant problem.

Finally, the Commission should re-visit its own idea that carriers allow customers to pay back billed charges over a longer period of time (3 or more months). The other option raised earlier this year by the Small LECs is to limit a customer’s back bill responsibility to three

months and then allow the carrier to receive reimbursement for anything above that as bad debt. Of course, the severity and forecasted amount of back billing would have to be determined to judge the cost-effectiveness of this option. However, it may be that spreading the cost of this problem out among ratepayers would be more effective than saddling specific low-income customers with large up-front costs.

However, if the Commission proceeds to implement a pre-qualification requirement, Joint Consumers recommend that safeguards be put in place to mitigate the impact of this change on low-income consumers, especially those just above the Lifeline income eligibility cut-off. First, the Commission must understand what a low-income customer will have to pay to initiate service under a pre-qualification system and how that differs in a first contact model.

The up-front costs for low-income consumers is significant as this necessarily “back-of-the-envelope” calculation demonstrates:

Rate Element	AT&T		SureWest	
New Customer	Full-Rate	LifeLine	Full Rate	LifeLine
Installation	\$40 (as of Jan 2008)	\$10	\$49-\$108	\$10
Deposit	Twice Monthly-min \$21	\$0	Twice Monthly-min \$38	\$0
Basic Service Rate	\$10.69	\$5.34	\$18.90	\$5.34
Taxes, Fees etc. ⁶	\$5.40	\$0	\$8.82	\$0
TOTAL	\$77.09	\$15.34	\$114.72	\$15.34
Existing Customer				
Conversion/Change Charge, if required	\$14.25	\$10.00	\$12.00	\$10.00
Basic Service Rate	\$10.69	\$5.34	\$18.90	\$5.34
Taxes and Fees	\$5.40	\$0	\$8.82	\$0
TOTAL	\$30.34	\$15.34	\$39.72	\$15.34

⁶ G.O. 153 Sec. 8.1.9 prohibits charging Lifeline customers for certain surcharges. This demonstration is simplified by taking the charges for only those surcharges listed as disallowed in G.O. 153 and totaling them from a sample bill. The Lifeline customer may pay a small amount of other surcharges not reflected in the chart.

In addition to the fact that LifeLine customers pay over three times less in their first months charges, there are also discounts on measured service and EAS routes and no charges for toll blocking that the LifeLine customers would not receive while their application is pending.

If the Commission moves away from the first contact model, Joint Consumers recommend a modified version of pre-qualification that should address the needs of both carriers and consumers. Most importantly, the large one time costs of signing up for service, such as a carriers' installation fee and deposit, should still be deferred for those customers who have signed up for LifeLine – so that customers who successfully enroll do not pay these charges, while those who fail to enroll are then back billed these charges with the ability to pay spread out over three or more months. However, the carrier would be allowed to charge full rate for all monthly recurring fees, usage, taxes, and surcharges.⁷ In any circumstances where a conversion charge would apply, the carrier should be allowed to charge that fee up front as long as it was limited to \$10.⁸ Naturally, once a customer is approved for LifeLine, that customer's bill should be credited the discount amounts back to the date of first contact with the carrier, except for the deferred nonrecurring charges which would become due and payable, albeit discounted and subject to the requirement that customers can pay over a period of three months.⁹

Under this proposal a customer who did not qualify for the program would only be back billed for those non-recurring, flat fee charges that are easy to understand and calculate. Other types of charges that vary with usage would be billed at full rate. These types of charges are

⁷ Joint Consumers are making this alternative proposal based on current basic service rates in California. We are aware that the Commission is currently considering proposals to increase basic service rates and additional proposals to revise the LifeLine discounts. The prequalification policy should be revisited as the result of any change that would have the affect of increasing the amount a customer must pay while waiting for their LifeLine application to be processed.

⁸ G.O. 153, Sec. 8.1.3

⁹ G.O. 153, Sec. 8.1.2.1

harder to keep track of while they are accumulating resulting in the sticker shock of being back billed three or more months.

B. Possible Lessons from Other States (ACR, section 2)

1. Retention of Income-Based Eligibility (ACR, Section 2(b))

Joint Consumers strongly oppose the elimination of income-based eligibility. Since 1983, California has sought universal telephone service for all its citizens. Universal service is not just a hazy goal, it is an operating principle, as evidenced by legislative direction that:

[e]very means should be employed by the commission and telephone corporations operating within service areas which furnish lifeline telephone service to ensure that every person qualified to receive lifeline telephone service is informed of and is afforded the opportunity to subscribe to that service.

Cal. Public Util. Code § 871.5(c). Elimination of income-based eligibility would remove a significant means through which Californians subscribe to Lifeline and would violate § 871.5(c).

Program-based eligibility alone cannot achieve California's objective of universal service.

Historically, California has led all other states in subscribing eligible low-income participants onto the Lifeline program. For example, the telephone subscribership penetration rate among low-income Californians grew from 87.1% in 1984 to 92.7% in December 2006, whereas the national figures for low-income households were 89.4% in 1984 and 89.2% in December 2006.¹⁰ California's past high subscribership rates among low-income households may have been partially due to self-certification eligibility procedures – the use of both income-based and program based eligibility procedures have not been in place long enough in California to gauge their success. However, there is no evidence that reliance on only program-based eligibility, as practiced by other states, can achieve the high level of penetration among low-income households as California has experienced in the past.

¹⁰ See California Public Utilities Commission Report to the California Legislature, *Universal Telephone Service to Residential Customers*, August 2007, p. 17.

The Commission should not make a change to the Lifeline eligibility processes without reliable evidence that use of only program-based eligibility can satisfy California's universal service principles. This is especially true considering that California's Lifeline program has only recently began to address the challenges to its eligibility processes resulting from changes instituted in D.05-04-026 and D.05-12-013.

Many people rely on income-based eligibility to subscribe to Lifeline. Approximately 20% of applicants utilize income-based eligibility procedures to apply to Lifeline.¹¹ The applicants likely choose income-based eligibility for a good reason – otherwise it would be much more convenient for them to check a box noting their participation in a public benefits program, rather than having to provide proof of their income. There is no evidence that only program-based eligibility could capture those 20% of applicants who apply through income-based processes.

Many Californians eligible to participate in Lifeline may not participate in the public benefits programs, for a variety of reasons. Some persons feel a stigma associated with participation in “welfare” programs and therefore choose not to participate even though they are eligible. However, they may be willing to participate in Lifeline, as it is not a “welfare” program, but may be viewed as simply the most basic rate available from a telecommunications carrier.

Many Lifeline eligible households may simply not be eligible for the other programs through which they could establish eligibility. Households without any children would not be eligible for half of the dozen programs (Healthy Families, National School Lunch, WIC, TANF, Tribal TANF, Tribal Head Start). Five of the remaining programs (Medicaid/Medi-Cal, SSI,

¹¹ This rough estimate was provided by a Solix representative at the December 5, 2007 conference call to discuss implementation issues involving the Lifeline program.

Section 8, BIA General Assistance and LIHEAP) do not provide support to a ubiquitous range of the low-income population, but rather serve specific niches of the low-income population.¹²

Specific households -- for example, households without children, elderly or disabled persons who do not rent housing through the Section 8 program -- would not be eligible for 11 of the 12 programs through which they could establish eligibility to Lifeline. Although this niche of households may seem very quite specific, such households may number in the tens or hundreds of thousands. Only Food Stamps is widely available to such households, as it is available to almost all low-income persons.¹³ The Commission should not rely on participation in the Food Stamp program as the basis for establishing eligibility for Lifeline for a significant portion of potential subscribers.¹⁴

Finally, there is a significant portion of Lifeline-eligible households who are not eligible for *any* of the programs through which they could establish eligibility. Undocumented immigrants who do not have children in the household would not be eligible for any of the dozen programs. For this population, income-based certification is the *only* means to establish eligibility for the Lifeline program. The Commission should not remove the only means through which such persons, a significant number in California, may apply to the Lifeline program.

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¹² The Medicaid/Medi-Cal program serves the elderly, families with children, disabled persons, pregnant persons and other small segments of the population. SSI serves the elderly and disabled persons. Section 8 serves renters, but is not ubiquitous among renters. Bureau of Indian Affairs General Assistance is only available to Native Americans. LIHEAP has a limited budget and serves only a small percentage of the low-income population.

¹³ Undocumented immigrants, however, are not eligible for Food Stamps.

¹⁴ This is especially true as persons may be particularly likely to avoid participation in the Food Stamp program because of perceived stigma, since participation requires demonstration of the benefits in a public manner, i.e. when purchasing food at a market.

C. Refinements in Customer Responses (ACR, section 3)

1. Additional Data Regarding Return Rates (ACR, section 3(b))

Carriers, Solix and the Commission have made great efforts at resolving those issues that caused a low rate of return of certification, verification and audit forms. Although the rates of return of these forms from customers are improving, there is still much work to be done. There is also the danger that certain customer groups are not returning the forms at the same rate as others. Joint Consumers believe that Solix should categorize return rates by language group and provide this data to the Implementation Working Group for review. There is a possibility that particular language groups may be experiencing problems in returning forms, and return data by language group could reveal these problems so that parties working on Lifeline issues could collectively address them.

Return rates broken out by carrier can demonstrate if a particular carrier is facing challenges in getting its customers to return certification and even verification and audit forms (even though carriers take less important roles for the latter two forms). The challenges may be due to the carrier's customer population or due to the carrier's Lifeline procedures. Review of return data by carrier, together with return data by language group, and with an understanding of each carrier's customer base can demonstrate why a particular carrier may be facing challenges. Joint Consumers believe Solix should categorize return rates by carriers and this data should be provided to the Implementation Working Group for review.

Joint Consumers believe another data point may be important – the percentage of applicants, verifying customers, and audited customers who are ultimately successful at establishing/maintaining the Lifeline discount. Return rates are an important data point, but understanding how many customers actually receive the discount is the true measure of success of the Lifeline process. This data should be provided categorized by language group and by

carrier, so that the Commission and interested parties can fully gauge the success of Lifeline processes among these various categories

Provision of return rates and actual Lifeline enrollment, categorized by language groups and by carrier would not be burdensome and could prevent particular populations of customers from being lost in the more general data. This information may also allow carriers, Solix and the Commission to address particular areas of concern. An additional benefit of this data is that it could help carriers better understand their marketing and outreach in general, not just for Lifeline purposes. Carriers could utilize this data to inform their general marketing and customer service.

D. Synergies With Other Low Income Programs (ACR, section 4)

The ACR requests comments on how the LifeLine program might tie in with other Commission-regulated low-income programs such as CARE, LIEE, Water Low Income, and asks whether a customer might sign up for multiple low-income programs at one time, e.g. by a web-based system.

Joint Consumers strongly believe that coordination with other low-income utility programs would generate great benefits for the Lifeline program. Enrollment in multiple programs through a web-based system would be a highly useful development, but the benefits of this kind of synergy need not be limited to customers with web access, nor must we wait for the development of a web-based system. The various low-income programs could share information concerning currently enrolled customers, as previously proposed during this proceeding by representatives of the CARE program. In this way, the Lifeline program could be notified of potentially Lifeline-eligible customers who are not yet enrolled in the program. These customers could be targeted for outreach. Joint Consumers realize that due to divergent eligibility guidelines, such an information-sharing program would not be an exact fit. There may also be a need to adapt the application forms of the various low-income programs so that customers

clearly assent to such information sharing. Information sharing of newly enrolled participants may be especially fruitful (as it may indicate customers who have changed economic situations). Joint Consumers support information sharing between low-income programs as a benefit to Lifeline outreach and enrollment.

Joint Consumers also continue to strongly support development of a web-based system to provide consumers with increased resources for participation—not just in the LifeLine program, but in multiple low-income programs. Joint Consumers also advocate that ongoing positive work in the areas of rebranding and outreach by consumer-based organizations (CBOs) be expanded to include ties to other low-income programs, as well as ties to the web-based system currently under development by Solix.

1. Web-Based Enrollment System

Joint Consumers have always been strongly in favor of web-based enrollment¹⁵ for the LifeLine program and believe it would be the easiest way to achieve synchronization of the various Commission-regulated low-income programs. Although a process is currently underway to develop a web-based system for online enrollment in Lifeline, there has been no specific mention of any mechanism for linking such system to enrollment in other low-income programs. While the Commission has consistently stated its intent to provide a web-based system for enrollment, certifications, and for verification,¹⁶ Joint Consumers are still concerned that this aspect of the program is not receiving enough emphasis. Moreover, there is no way for Joint

¹⁵ Any web-based system must be accessible to screen readers as the Commission moves forward with LifeLine and with other low-income programs.

¹⁶ See D.05-12-013, O.P. 4 and 5.

Consumers to assess the strengths and weaknesses of the current web-based system since it has not yet been revealed to the Parties.¹⁷

In an ideal world, Joint Consumers would like to see a web-based enrollment system that is uniform between all the Commission-regulated low-income programs and provides consumers a way to register for all such programs in one simple step. If properly designed, it could detect eligibility, e.g., for CARE while a consumer was attempting to register for the LifeLine program. It could include an educational component to inform consumers about the requirements, benefits, and overlap of the various programs. Such a system would not only benefit those consumers attempting to enroll in LifeLine, but might increase overall enrollment in the LifeLine program, by reaching those low-income consumers who were seeking to enroll in other low-income programs, and learned about LifeLine in that process.

Joint Consumers also reiterate the benefits of a web-based enrollment system in allowing consumers to access information at their own convenience. For those consumers without direct internet access, or for those with access, but who also need assistance in filling out forms, web-based enrollment and verification would allow CBOs to work with consumers in accurately providing information about the LifeLine program and other Commission-regulated low-income programs, as further detailed below. Although it remains crucial that consumers be given multiple methods of enrollment (including written forms), Joint Consumers believe that a web-based system promises greater access to resources for low-income consumers. Joint Consumers emphasize that the Commission is in a central role between all the different regulated utilities and could be doing more to facilitate cooperation and overlap on its website. Ideally, a joint

¹⁷ The ACR makes reference to the fact that Solix has a proposed system that it demonstrated to staff on October 3 but that others will not see a proposed system until it is “fully developed.” Joint Consumers are concerned that there will not be meaningful opportunity to evaluate and provide input to the web-based system. Parties should receive assurances that Solix can and will amend the system if enhancements are proposed by parties.

online enrollment application could be a universal point of entry for all consumers. In the interim period, however, the Commission could enhance its website to create a central web portal that is, if nothing else, a place to compile information about the various low-income programs in one convenient location.

Pennsylvania has an award-winning website called Commonwealth of Pennsylvania Access to Social Services (COMPASS).¹⁸ COMPASS allows individuals and CBOs to screen for customer eligibility, apply and renew eligibility for a multitude of low-income programs including Medicaid and other health care programs, Food Stamps, Cash Assistance, Long-Term Care, Home and Community Care for Individuals With Mental Retardation and the federal Low Income Home Energy Assistance Program (LIHEAP). The website is compliant with the ADA, is in English and Spanish and uses encryption. Users also have a user id and password. The website also includes eligibility screens for other programs such as home and community-based services and the school lunch and breakfast program. Recipients of the Pennsylvania Department of Public Welfare benefits can create their own secure personal accounts for health care, Food Stamp and cash assistance benefits on this website. CBOs that register as Community Partners have access to enhanced tools that streamline the application process, decrease application time and have e-sign functionality. Community Partners also have access to application management tools that can track applications, provide a portfolio of submitted and suspended applications, print forms and generate reports. Consumers using the web-based enrollment process have 30 days to complete their e-form and they can log in multiple times. Consumers can also check on the status of their applications. Some of the programs require a face-to-face interview, so the online application is the start of the enrollment process for those

¹⁸ For more information about Pennsylvania's COMPASS, see <https://www.humanservices.state.pa.us/compass/PGM/ASP/SC001.asp>.

programs. COMPASS does not determine eligibility for program, rather it sends the applications to the appropriate agencies.

West Virginia's Information Network for Resident Online Access and Delivery of Services (inROADS) website also allows consumers to screen for possible eligibility for a number of low-income programs.¹⁹ Consumers can also apply and respond to agency notices for review of eligibility for these programs online through the site. The programs covered on this site are administered by the West Virginia Department of Health and Human Resources and include low-income health care programs, Food Stamps and LIHEAP. Consumers can use the site to check their benefits information and see whether they need to take additional steps to receive or maintain their benefits. Consumers can complete unfinished applications as well as view their final applications. There is also some access for "Community Partners" which includes hospital workers or a health care center.

New York's Home Energy Assistance Program has a more limited web-based enrollment site which allows households in a certain number of counties that have received LIHEAP in the prior year to enroll online for the regular energy assistance program (versus crisis assistance).²⁰

2. *Community-Based Organizations*

The ACR has explained the Commission's progress in working with CBOs to improve outreach to consumers who may be eligible for the LifeLine program. With minimal additional effort, the CBOs could also conduct outreach concerning other Commission-regulated low income programs, such as a discount on energy bills through CARE or free weatherization and energy efficiency measures through LIEE.

¹⁹ For more information about West Virginia's inROADS program, see <https://www.wvinroads.org/inroads/PGM/ASP/SC001.asp>

²⁰ For more information on the New York HEAP web enrollment site, see <https://www.otda.state.ny.us/otdaheap/>.

In the Commission's work with CBOs to improve outreach efforts with respect to LifeLine, it should focus on developing synergies between all of the Commission-regulated low-income programs. This goal could be facilitated by updating the current forms to contain references to other programs; updating current printed educational/informational materials to explain common eligibility requirements and enrollment procedures; and adding references to a web-based system which would ideally provide links between the various low-income programs and perhaps even a combined enrollment procedure.

3. Rebranding Efforts

The ACR also described positive rebranding efforts involving One World Communications, the Marketing Group, the Outreach contractor, and Solix. In order to achieve a synergy between multiple low-income programs, the rebranding effort should include references and links to other Commission-regulated programs—and ideally, should include a common enrollment procedure that can be implemented through both the written forms and the web-based system.

Although the current ongoing work with rebranding is a step in the right direction, Joint Consumers still have questions as to how the forms currently in use will need to be modified in order to allow for web-based interactions. The Commission needs to keep this in mind and make sure that the preliminary work to move forward takes place in a timely fashion, to avoid a later determination that the requirements would take too long or be too expensive.

III. CONCLUSION

In conclusion, Joint Consumers urge the Commission and Staff to remain focused on the experience of consumers. Throughout both the Staff Report and the Proposed Decision, concerns about the problems with implementation of the revised LifeLine program are primarily described in terms of their impact on carriers, on Solix, and on CAB. The actual hardships being

experienced by consumers are noted in passing or not at all. This is most glaring, but by no means unique, in the portion of the Staff Report addressing customer billing issues.²¹ Here, the need to address these issues is predicated on the "major workload impact" that calls and written appeals to CAB have created. The proposed improvements are praised as being likely to "result in reductions to written complaints and calls to CAB." It is disturbing that the focus is on CAB's workload rather than the problems that lead numerous desperate consumers to appeal their bills.

In order to continue to represent the interests of the consumers who rely on the LifeLine program, Joint Consumers look forward to continuing to work with Staff and the other stakeholders as this proceeding moves to a second phase.

Dated: December 14, 2007

Respectfully submitted,

/s/ Enrique Gallardo

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²¹ See Staff Report at 27.

CERTIFICATE OF SERVICE

I, the undersigned, hereby declare:

1. I am a citizen of the United States of America over the age of eighteen years. My business address is 160 Pine Street, Suite 700, San Francisco, California, 94111.

2. On December 14, 2007 I caused service by electronic mail and/or U.S. mail of the original attached:

**COMMENTS OF THE UTILITY REFORM NETWORK, THE NATIONAL
CONSUMER LAW CENTER, DISABILITY RIGHTS ADVOCATES AND LATINO
ISSUES FORUM ON ASSIGNED COMMISSIONER'S RULING SETTING
SCOPE OF PHASE 2 ISSUED NOVEMBER 14, 2007**

to be made on the parties on the attached service list for Rulemaking 04-12-001, as it was found on the CPUC's website on December 14, 2007. Parties that provided an electronic mail address were served by sending this document as an attachment. Parties that did not provide an electronic mail address were served by sending this document by first class mail with postage prepaid.

I declare under penalty of perjury that the foregoing is true and correct.

Dated in San Francisco, California, this 14th of December 2007.

/s/ Enrique Gallardo

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